

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:19-cv-05178-VEC**

Pro Publica, Inc. v. United States Food and Drug Administration Date Filed: 06/03/2019  
Assigned to: Judge Valerie E. Caproni Jury Demand: None  
Cause: 05:552 Freedom of Information Act Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Pro Publica, Inc.**

represented by **Jeremy Alexander Kutner**  
Pro Publica, Inc  
155 Avenue of the Americas, 13th Floor  
New York, NY 10013  
917-512-0218  
Fax: 212-785-2634  
Email: [jeremy.kutner@propublica.org](mailto:jeremy.kutner@propublica.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****United States Food and Drug Administration**

represented by **Alexander James Hogan**  
United States Attorney's Office  
Southern District Of New York  
86 Chambers Street, Third Floor  
New York, NY 10007  
212-637-2799  
Email: [alexander.hogan@usdoj.gov](mailto:alexander.hogan@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/03/2019	<u>1</u>	COMPLAINT against United States Food and Drug Administration. (Filing Fee \$ 400.00, Receipt Number ANYSDC-17004584) Document filed by Pro Publica, Inc..(Kutner, Jeremy) (Entered: 06/03/2019)
06/03/2019	<u>2</u>	CIVIL COVER SHEET filed. (Kutner, Jeremy) (Entered: 06/03/2019)
06/03/2019	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Pro Publica, Inc..(Kutner, Jeremy) (Entered: 06/03/2019)
06/03/2019	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Food and Drug Administration, re: <u>1</u> Complaint. Document filed by Pro Publica, Inc.. (Kutner, Jeremy) (Entered: 06/03/2019)
06/04/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Valerie E. Caproni. Please download and review the Individual Practices of the assigned District Judge, located at <a href="http://nysd.uscourts.gov/judges/District">http://nysd.uscourts.gov/judges/District</a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at <a href="http://nysd.uscourts.gov/ecf_filing.php">http://nysd.uscourts.gov/ecf_filing.php</a> . (pc) (Entered: 06/04/2019)
06/04/2019		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (pc) (Entered: 06/04/2019)

06/04/2019		Case Designated ECF. (pc) (Entered: 06/04/2019)
06/04/2019	<u>5</u>	ELECTRONIC SUMMONS ISSUED as to United States Food and Drug Administration. (pc) (Entered: 06/04/2019)
06/19/2019	<u>6</u>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Counsel for all parties are directed to appear before the undersigned for an Initial Pretrial Conference ("IPTC") in accordance with Rule 16 of the Federal Rules of Civil Procedure on August 9, 2019, at 10:00 a.m. in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. (as further set forth in this Order). SO ORDERED. Initial Conference set for 8/9/2019 at 10:00 AM in Courtroom 443, 40 Centre Street, New York, NY 10007 before Judge Valerie E. Caproni. (Signed by Judge Valerie E. Caproni on 6/19/2019) (kv) (Entered: 06/19/2019)
06/20/2019	<u>7</u>	AFFIDAVIT OF SERVICE of Summons and Complaint served on United States Food and Drug Administration on June 4, 2019. Service was made by Certified Mail. Document filed by Pro Publica, Inc.. (Kutner, Jeremy) (Entered: 06/20/2019)
07/08/2019	<u>8</u>	ANSWER to <u>1</u> Complaint. Document filed by United States Food and Drug Administration.(Hogan, Alexander) (Entered: 07/08/2019)
07/11/2019	<u>9</u>	LETTER MOTION to Adjourn Conference addressed to Judge Valerie E. Caproni from Alexander J. Hogan dated July 11, 2019. Document filed by United States Food and Drug Administration.(Hogan, Alexander) (Entered: 07/11/2019)
07/11/2019	<u>10</u>	ORDER: granting <u>9</u> Letter Motion to Adjourn Conference. Application GRANTED. The August 9, 2019 conference is adjourned to September 27, 2019 at 10:00 a.m. The August 1, 2019 deadline to submit preconference materials is adjourned to September 19, 2019. SO ORDERED. Initial Conference set for 9/27/2019 at 10:00 AM before Judge Valerie E. Caproni. (Signed by Judge Valerie E. Caproni on 7/11/2019) (ama) (Entered: 07/11/2019)
09/18/2019	<u>11</u>	LETTER MOTION to Adjourn Conference addressed to Judge Valerie E. Caproni from Alexander J. Hogan dated September 18, 2019. Document filed by United States Food and Drug Administration.(Hogan, Alexander) (Entered: 09/18/2019)
09/18/2019	<u>12</u>	ORDER: granting <u>11</u> Letter Motion to Adjourn Conference. Application GRANTED. The September 27, 2019 initial pretrial conference is adjourned to Nov. 1 at 10:00 am. The deadline to submit pre-conference materials is adjourned to October 24, 2019. SO ORDERED. Initial Conference set for 11/1/2019 at 10:00 AM before Judge Valerie E. Caproni. (Signed by Judge Valerie E. Caproni on 9/18/2019) (ama) (Entered: 09/19/2019)
10/21/2019	<u>13</u>	LETTER MOTION to Adjourn Conference addressed to Judge Valerie E. Caproni from Alexander J. Hogan dated October 21, 2019. Document filed by United States Food and Drug Administration.(Hogan, Alexander) (Entered: 10/21/2019)
10/21/2019	<u>14</u>	ORDER: granting <u>13</u> Letter Motion to Adjourn Conference. Application GRANTED. The initial pretrial conference will be held on December 6, 2019 at 10:00 a.m. The parties' joint letter is due by November 28, 2019. SO ORDERED. Initial Conference set for 12/6/2019 at 10:00 AM before Judge Valerie E. Caproni. (Signed by Judge Valerie E. Caproni on 10/21/2019) (ama) (Entered: 10/21/2019)
11/26/2019	<u>15</u>	NOTICE OF VOLUNTARY DISMISSAL, the plaintiff(s) and or their counsel(s), hereby give notice that the above-captioned action is voluntarily dismissed, with prejudice against the defendant(s) United States Food and Drug Administration. Document filed by Pro Publica, Inc.. <b>Proposed Order to be reviewed by Clerk's Office staff.</b> (Kutner, Jeremy) (Entered: 11/26/2019)